

### **REMARKS**

Claims 1-34 remain pending in the present application. Claims 1-10, 14, 16-24 and 26-33 have been amended. Claim 34 is new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

### **SPECIFICATION**

The abstract of the disclosure is objected to because (a) the acronym EGR is not defined in the abstract and (b) the abstract does not avoid using words which can be inferred (i.e., "is disclosed"). The abstract has been amended and it is presented on a single sheet of paper pursuant to MPEP § 608.01(b).

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 1, 8, 10, 11, 14, 15, 19 through 23 and 31 through 33 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended the examined claims and the claims currently withdrawn from consideration to overcome the rejection. Reconsideration of the rejection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 102**

As best can be understood in view of the indefiniteness of the claims, Claims 1, 8, 10, 11, 14, 15, 19 through 23 and 31 through 33 are rejected under 35 U.S.C. § 102(b) as being anticipated by Karbach, et al. Claims 1 and 33 have been amended to

define a plurality of louvres on the inner walls of the exhaust gas passages. A surface of each of the louvres has a height measured from the inner wall which increases in the direction of the exhaust gas flow. The louvres increase in height with the shortest portion being impacted by the exhaust gas first as illustrated in Figures 17 and 18.

Karbach, et al. discloses projections or louvres 21 and 22 which are constant in height in the direction of fluid flow.

Thus, Applicant believes Claims 1 and 33, as amended, patentably distinguishes over the art of record. Likewise, Claims 8, 10, 11, 14, 15, 19-23 and 31 which ultimately depend from Claim 1 are also believed to patentably distinguish over the art of record.

#### **REJOINDER**

Applicant respectfully requests rejoinder of withdrawn Claims 2-7, 9, 12, 13, 16-18 and 24-30.

#### **NEW CLAIMS**

New Claim 34 is an independent claim which is similar to the combination of Claims 1 and 8 of the present invention, as amended. Applicant believes Claim 34 reads on the elected species.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is

believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: April 8, 2004

By: 

Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

MJS/pmg